

# Nelson & Dahle, P.C.

316 North 26th Street Billings, Montana 59101 p: 406.867.7000

## DISTRICT COURT

VERDICT: \$148,231.12, low-impact rear-end auto (3 cars), admitted liability, disputed causation, whiplash/neck pain/postconcussive syndrome/conversion disorder/depression/lost ability to work

A Billings jury found that Karan Goetz caused injuries to Wayne Osborne and awarded \$19,649.12 medicals to date, \$44,118 lost income to date, \$8,736 future medicals, \$55,728 future wage loss for 2 years, \$10,000 for pain & suffering, \$10,000 for loss of life style.

Goetz rear-ended a KULR 8 van which rear-ended Osborne's Toyota pickup. She admitted liability but contended that there was insufficient force to produce any injury.

Osborne, then 48, claimed neck pain, postconcussive syndrome with conversion disorder and inability to function socially and at his work as kitchen manager at Lucky Lady Casino. He was determined totally disable by SS (not disclosed to the jury).

Plaintiff's experts: chiropractor Robert Larson, Billings; orthopedist Mark Hegyes, Billings; neuropsychologist David Gumm, Billings; neurologist Alfred Avery, Billings (deposed); psychiatrist Elizabeth Walter, Billings; Kellie Christianson, Billings (voc-rehab); Greg Hafner, Billings (career guidance).

Defendant's experts: John Jurist, Billings (biomechanics); neuropsychologist Joseph McElhinny, Billings; ER physician Michael Bush, Billings (deposed); PA-C Robert Hector, Billings (deposed).

Demand, \$100,000; offer, \$20,000. Jury request, \$332,245 plus pain, suffering, loss of enjoyment; jury suggestion, \$130.25. Shane Colton, mediator.

Jury deliberated 7 hours 4th day; Judge Watters.

Osborne v. Goetz, Yellowstone DV 06-581, 6/21/07.

Frank Richter (Richter & Torkelson), Billings, for Osborne; Randall Nelson (Nelson & Dahle), Billings, for Goetz (State Farm Mutual Auto Ins.).

